

**From:** Gary Vogt  
**To:** Microsoft ATR  
**Date:** 1/19/02 9:33pm  
**Subject:** Settlement opinion

I take great exception to the DOJ's proposed acceptance of this settlement as a viable punishment towards Microsoft. It is nothing more, in my opinion, than another step toward monopolizing efforts that are already under investigation. This may be the equivalent of slapping a drug dealer on the wrist for charging too much for his or her product and forcing them to "donate" a portion of future product to the masses so no one is left out of the deal. Why would I want to propagate such an effort? Does this really punish the guilty party? We all know the answer - NO! It actually reinforces the stranglehold they are currently being "held accountable" for. Apple Computer has long had a foothold in the one market that Microsoft so desperately wants - education. If we as Americans are to punish a "monopolizer" by allowing them to donate their proprietary operating systems and application programs to "needy (non Apple market) school systems", are we not as guilty as Microsoft?

While roughly 80% of the software to be donated is Windows specific, the opposite is true of the operating system of choice in most school systems. This is where I believe we will all suffer. If we offer free or discounted software to schools that cannot afford to purchase the machines it runs on, what good can come of it? Perhaps these schools have functioning, but older, Apple computers, but are ready to propose a budget for staff and/or new equipment in the next year or so. What system do you suppose they will budget for if they are getting Windows specific software for free? We have just furthered the Microsoft cause by forcing more non Apple computers into the system. I thought that was what we were trying to prevent them from doing. I admit that I am a Apple owner and user. I am also a Windows user at work. I am biased towards the Mac/Apple operating system based on my ability to use both and make an educated decision of which to "own". This is called freedom of choice, I believe. If Microsoft wants to legitimately "help needy school systems", let them donate in the form of trust funds that can be used to staff our schools with qualified teachers and equipment. Let them set up annuities. Give the schools a check. Don't let them "give" the school a \$150.00 software title that they have all of \$1.00 invested in raw materials. This only amounts to a \$ 149.00 charitable deduction at the end of the tax year. Give the people responsible for educating the future adults and voters of our country that same freedom of choice.

Please see this offer from Microsoft for what it really is - a way to get into the market that has eluded them for years and hook them early and for life into their operating system. This will only force the school systems to hire more I.T. people to keep the Windows systems running when they should be hiring more teachers instead of cutting staff.

Respectfully,

Gary A. Vogt